



1723

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: *Hwang, Y.* Examiner: *Savage, M.*
Serial No.: *09/841,693* Art Unit: *1723*
Filed: *04/24/2001* Date: August 26, 2002

For: *Oil Treatment System*

Box Non-Fee
Commissioner of Patents and Trademarks
Washington, D.C. 20231

TRANSMITTAL

Transmitted herewith:

- 1) Response to Election/Restriction Requirement
- 2) Preliminary Amendment
- 3) Acknowledgment of Receipt/Return Card

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Hahn Loeser + Parks, LLP

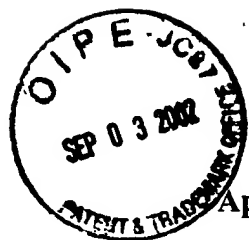
By
Scott M. Oldham
Reg. No.: 32,712

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A RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Election/Restriction Requirement of June 24, 2002, the following Election with traverse is made in response thereto, and reconsideration of the Requirement is respectfully requested.

In the Office Action, the Examiner has stated that the claims presented in the application are directed to distinct inventions, particularly noting Groups I through III, with each Group including one or more claims. In response to the Restriction Requirement, the applicant hereby provisionally elects the claims 21-28 of Group III with traverse.

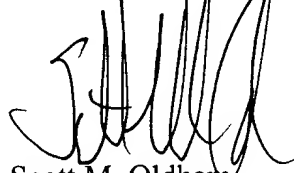
The Restriction Requirement set forth in the Office Action is respectfully traversed for at least the following reasons. In the Restriction Requirement, the Examiner has indicated that three distinct inventions have been set forth therein, and more particularly that claims 1-19 are drawn to an oil treatment apparatus. This is said to be distinct from Claim 20, drawn to a frying apparatus and Claims 21-28, drawn to a method of treating oil. The Examiner concludes that the inventions are distinct as the process could be carried out by other and materially different apparatuses. More specifically, the Examiner states that an apparatus having a static porous filter medium as opposed to the filter system as required by the Group I Claims, or including a reservoir not having a mechanism for conveying food products as required by Groups I or II.

In response to the Examiner's conclusions, it is applicants position that the apparatus Claims 1-20 should be examinable together, with the methods claims. With respect to the restriction relative to Group III, the Examiner states that an apparatus including a static porous

filter medium could be used to perform the process defined in Group III. In a review of the claims, Claim 1 clearly defines the oil treatment apparatus as including a filter system capable of extracting particulate material from the oil and removing the particulate material from the filter system as it is removed from the oil. The method of claim 21 as now amended also clearly calls for such a system. A static porous filter medium, as suggested by the Examiner, cannot perform this function, and makes both the apparatus and method claims set forth in the application related to one another and properly examinable together. Withdrawal of the restriction requirement is therefore requested. Further, as the claims related to the oil treatment apparatus as well as frying apparatus are closely related, it is clear that apparatus Claim 20 relating to a frying apparatus should be examined together with these additional apparatus claims, and withdrawal of the restriction requirement with respect thereto is thought to be in order.

Based upon the foregoing, reconsideration of the Restriction Requirement is respectfully requested, and applicant's representative would be happy to discuss any issues in this regard with the Examiner which may remain.

Respectfully submitted,
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